

Senator Homan offered the following amendment: On page 2, article 4664, strike out all after the word "excepted," in line 8, down to and including the word "purposes," in line 9, and insert as follows: "An annual poll tax of one dollar for the benefit of free schools." Lost by the following vote:

YEAS—15.

Burges,	Henderson,	Martin,
Burton,	Homan,	Patton,
Davenport,	Houston,	Ross,
Davis,	Lair,	Shannon,
Duncan,	Lightfoot,	Swain.

NAYS—10.

Brown,	McLane,	Stubbs,
Buchanan,	McDonald,	Terrell,
Cooper,	Moore,	Tilson,
Gooch,	Rainey,	Weatherred,
Harris,	Stewart,	Wynne.
Hightower,		

Senator Burges offered the following amendment: Amend by striking out, in line 5, page 1, section 1, the words "three-tenths of one per centum," and insert instead thereof the words "four-tenths of one per centum."

Senator Patton offered the following substitute for Senator Burges' amendment: In line 5, page 1, strike out three-tenths, and substitute one-half.

(Senator Homan in the chair.)

Senator Patton's substitute was lost by the following vote:

YEAS—2.

Burton,	Patton.
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NAYS—29.

Brown,	Hightower,	Ross,
Buchanan,	Homan,	Shannon,
Burges,	Houston,	Stewart,
Cooper,	Lair,	Stubbs,
Davenport,	Lightfoot,	Swain,
Davis,	Martin,	Terrell,
Duncan,	McLane,	Tilson,
Gooch,	McDonald,	Weatherred,
Harris,	Moore,	Wynne.
Henderson,	Rainey,	

(The President in the chair.)

Senator Gooch moved the previous question on amendment and engrossment of the bill. Motion seconded and main question ordered by the following vote:

YEAS—23.

Brown,	Henderson,	Rainey,
Buchanan,	Hightower,	Ross,
Burges,	Houston,	Shannon,
Cooper,	Lair,	Swain,
Davenport,	Lightfoot,	Tilson,
Davis,	Martin,	Weatherred,
Gooch,	McLane,	Wynne.
Harris,	McDonald,	

NAYS—6.

Burton,	Homan,	Stewart,
Duncan,	Patton,	Terrell.

Senator Duncan moved a call of the Senate. Call not seconded.

The amendment of Senator Burges was lost by the following vote:

YEAS—6.

Burges,	Homan,	Lair,
Duncan,	Houston,	Swain.

NAYS—23.

Brown,	Henderson,	Ross,
Buchanan,	Hightower,	Shannon,
Burton,	Lightfoot,	Stewart,
Cooper,	Martin,	Terrell,
Davenport,	McLane,	Tilson,
Davis,	McDonald,	Weatherred,
Gooch,	Patton,	Wynne.
Harris,	Rainey,	

Bill passed to third reading.

Senator Harris moved to suspend the rules to put the bill on its final passage.

Senator Houston moved to reconsider the vote placing the bill on its third reading. Adopted, and bill reconsidered.

Senator Duncan offered the following amendment: After line 21, page 5, add, "Provided, that this clause shall not be so construed as to tax persons advertising their own business."

Senator Gooch offered the following substitute: Strike out of the bill the tax on bill posters.

Senator Duncan's amendment was adopted.

Senator Gooch's amendment was lost.

Senator Henderson offered the following amendment: Add, on page 5, line 8, after the word "physician," as follows, "surgeon, oculist, or medical specialist of any kind."

Pending the amendment of Senator Henderson, on motion of Senator Stewart, Senate adjourned to 9:30 a. m. tomorrow.

TWENTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 29, 1882. }

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Rainey, the reading of the journal of yesterday was dispensed with.

Senator Shannon, chairman of Committee on Internal Improvements, submitted the following report:

COMMITTEE ROOM,
AUSTIN, April 29, 1882.

Hon. L. J. Storey, President of the Senate:

Your Committee on Internal Improvements, to which was referred Senate bill No. 21, entitled "An act to protect the makers and manufacturers of railroad cross-ties and to provide a lien for the payment of the same," have considered the same, and I am instructed by a majority thereof to report it back to the Senate and recommend its passage.

SHANNON, Chairman.

Bill read first time.

Senator Patton, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, April 29, 1882.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have carefully examined Senate bill No. 43, "An act to provide for temporary capitol buildings for the use of the several departments and branches of the State government, and to make an appropriation therefor," and find the same correctly engrossed.

PATTON, Chairman.

Senator Homan offered the following joint resolution:

Joint resolution granting leave of absence to the Hon. J. D. McAdoo, county judge of Washington county.

SECTION 1. *Be it resolved by the Legislature of the State of Texas,* That the Hon. J. D. McAdoo, county judge of Washington county, be and he is hereby granted leave of absence from the State of Texas, from the date of the passage of this joint resolution until the first day of September, A. D. 1882.

SEC. 2. The precarious state of Judge McAdoo's health and the importance that he receive the benefits of this joint resolution at once, create an imperative public necessity justifying the suspension of the constitutional rule requiring this joint resolution to be read on three several days, and said rule is suspended, and an emergency exists that this resolution take effect and be in force from and after its passage, and it is so enacted.

Referred to Committee on State Affairs.

On motion of Senator McLane, Senator Homan was excused for the day.

A message from the House announcing the passage by that body of the following bills: Substitute House bill

No. 4, "An act to provide for a board of commissioners of railroads, prescribe their duties and powers, and fix their salaries." Referred to Committee on Internal Improvements.

Also, House bill No. 61, "An act to supply the deficiency for the support and maintenance of the Prairie View Normal Institute, and to purchase library, wagon, mules, and cows, and to pay for repairs heretofore made, and for damages to said institute caused by the late storm, and to make an appropriation therefor." Referred to Committee on Education.

And House bill No. 30, "An act to prohibit railroad companies, their officers, agents and employees from making excessive charges for carrying and transporting freight, goods, wares and merchandise, and to require said companies, their officers, agents and employees to deliver freight, goods, wares and merchandise on the payment of the freight charges due as shown by the bill of lading, and to provide penalties for the violation of this act." Referred to Committee on Internal Improvements.

The President laid before the Senate House bill No. 51, being the House tax bill that was pending on adjournment yesterday. Bill taken up.

Senator Henderson's amendment pending on adjournment was adopted.

Senator Henderson offered to further amend as follows: Add in line 12, page 5, after the word "profession," as follows: "Who has no permanent home in this State." Adopted.

Senator Stubbs offered the following amendment: Amend, by striking out lines 6 to 15 inclusive, and by inserting on line 17, page 9, after the word "cars," the words "palace sleeping or dining-room cars," and by inserting the same words after the word "railroads," on line 20, page 9.

The President gave notice of the signing of substitute for Senate bills Nos. 1, 5, 36, and 41, "An act to apportion the State into congressional districts."

(Senator Martin in the chair.)

Senator Duncan offered to amend the amendment of Senator Stubbs, as follows: Strike out "one dollar and fifty cents per mile," and insert "seventy-five cents per mile."

Senator Houston raised the point of order that the amendment of Senator Duncan was not in the nature of a substitute for the amendment, but was an amendment to the original bill. Overruled.

Senator Duncan's amendment was lost by the following vote:

YEAS—12.		
Brown,	Harris,	Patton,
Buchanan,	Henderson,	Shannon,
Davis,	Hightower,	Tilson,
Duncan,	Lair,	Wynne.
NAYS—17.		
Burges,	Lightfoot,	Stewart,
Burton,	Martin,	Stubbs,
Cooper,	McLane,	Swain,
Davenport,	McDonald,	Terrell,
Gooch,	Rainey,	Weatherred,
Houston,	Ross,	

Senator Harris offered the following substitute: In page 9, line 7, printed bill, strike out the words "not owned by the railway company;" also, in line 17, page 9, after the word "cars," insert "other than palace, sleeping or dining cars."

Senator Houston moved the previous question on the substitute and amendment. Motion seconded, and main question ordered.

Senator Harris' substitute was lost by the following vote:

YEAS—9.		
Brown,	Duncan,	Martin,
Buchanan,	Harris,	Shannon,
Davis,	Hightower,	Tilson.

NAYS—17.

Burton,	Lightfoot,	Stewart,
Cooper,	McLane,	Stubbs,
Davenport,	McDonald,	Swain,
Gooch,	Patton,	Terrell,
Henderson,	Rainey,	Weatherred,
Houston,	Ross,	Wynne.
Lair,		

Senator Stubbs' amendment was adopted by the following vote:

YEAS—16.

Burges,	McLane,	Stubbs,
Burton,	McDonald,	Swain,
Cooper,	Rainey,	Terrell,
Davenport,	Ross,	Tilson,
Gooch,	Stewart,	Weatherred.
Lair,		

NAYS—12.

Brown,	Harris,	Martin,
Buchanan,	Henderson,	Patton,
Davis,	Hightower,	Shannon,
Duncan,	Lightfoot,	Wynne.

Senator Houston said: "I am paired with the Senator from Burleson. He would have voted "aye," and I would have voted "no."

Senator Henderson offered the following amendment: On page 9, lines 20 and 21, strike out "gross receipts," and insert "net receipts." Lost by the following vote:

YEAS—4.		
Burges,	Henderson,	McLane.
Duncan,		

NAYS—23.

Brown,	Houston,	Stewart,
Buchanan,	Lightfoot,	Stubbs,
Cooper,	Martin,	Swain,
Davenport,	McDonald,	Terrell,
Davis,	Patton,	Tilson,
Gooch,	Rainey,	Weatherred,
Harris,	Ross,	Wynne.
Hightower,	Shannon,	

Senator Gooch offered the following amendment: Amend on page 3, line 10, by adding the words "newspapers and grave stones" after the word "nurseries." Adopted.

Senator Duncan offered the following amendment: In line 9, page 3, strike out from the word "soliciting" down to and inclusive of the word "persons," in line 10, same page. Lost.

Senator Patton offered the following amendment: Add on page 5, line 9, after the word "physicians," as follows: "Surgeons, oculists, or medical specialists of any kind." Adopted.

Senator Terrell offered the following amendment: Add to line 20, page 7, imposing a tax on wagon-yards, the words "used for profit." Adopted.

Senator Houston offered the following amendment: Amend line 21, page 6, by adding the words "or traveling vendors of fruit exclusively."

Senator Lightfoot offered the following amendment to Senator Houston's amendment: Amend by adding after the word "fruit" the words "and fruit trees." Accepted, and amendment, as amended, adopted.

Senator Duncan moved to further amend Senator Houston's amendment as follows: Insert in the amendment "ripe fruit." Lost.

Senator Gooch offered the following amendment: Amend the bill by striking out the "occupation tax of \$5 on physicians." Adopted by the following vote:

YEAS—16.		
Buchanan,	Gooch,	Shannon,
Burges,	Houston,	Stewart,
Burton,	Martin,	Stubbs,
Cooper,	McLane,	Weatherred,
Davenport,	Rainey,	Wynne.
Duncan,		

	NAYS—12.	
Brown,	Homan,	Ross,
Davis,	Lightfoot,	Swain,
Harris,	McDonald,	Terrell,
Henderson,	Patton,	Tilson.
Hightower,		

Senator Terrell offered the following amendment: Insert after the word "companies," in line 32, page 9, the words "or any other officer authorized by said company to make said statement." Adopted.

Senator Stubbs: Amend by inserting on page 3, line 29, after the word "bankers," "or dealers in stocks, securities or bills of exchange." Also, on page 7, by striking out lines 22 to 28, inclusive. Adopted by the following vote:

	YEAS—20.	
Buchanan,	Hightower,	Ross,
Brown,	Houston,	Shannon,
Burges,	Lightfoot,	Stubbs,
Davenport,	Martin,	Terrell,
Duncan,	McLane,	Weatherred,
Gooch,	McDonald,	Wynne.
Henderson,	Rainey,	

	NAYS—6.	
Cooper,	Harris,	Swain,
Davis,	Patton,	Tilson.

Senator Patton offered the following amendment: On page 5, line 5, strike out 5, and insert 10.

Senator Swain offered to amend the amendment as follows: Strike out lines 5, 6 and 7, page 5.

Senator Patton raised the point of order that the motion to strike out is not in order pending an amendment. Sustained.

Senator Patton's amendment was lost by the following vote:

	YEAS—2.	
Brown,	Patton.	
	NAYS—25.	
Buchanan,	Hightower,	Shannon,
Burges,	Houston,	Stewart,
Cooper,	Lightfoot,	Stubbs,
Davenport,	Martin,	Swain,
Duncan,	McLane,	Terrell,
Davis,	McDonald,	Tilson,
Gooch,	Rainey,	Weatherred,
Harris,	Ross,	Wynne.
Henderson,		

Senator Swain renewed his amendment. Amendment lost.

Senator Henderson offered the following amendment: Add on page 3, line 23, after word "paid," the following: "Provided, that this tax shall not apply to commercial travelers, drummers or salesmen making sales or soliciting trade for merchants engaged in selling drugs or medicines."

Senator Henderson withdrew his amendment.

Senator Duncan offered the following amendment: On page 7, line 6, strike out "cock fight" and insert "cock pit," and in line 7 strike out "five dollars" and insert "twenty-five dollars per year," and strike out "exhibited," in line 8, same page, and insert "kept." Adopted.

Senator Gooch offered the following amendment: Insert the words "by retail," after the word "medicine," in page 3, line 21.

Senator Henderson renewed his amendment, just withdrawn, as substitute for Senator Gooch's amendment. Adopted, and amendment as substituted adopted.

Senator Buchanan offered the following amendment: Between lines 29 and 30, page 5, insert the following: "From every person, firm or association of persons selling, or offering for sale, the illustrated "Police News," "Police Gazette," and other illustrated publications of like character, the sum of \$500 in each county in which such sales may be made, or may be offered to be made." Adopted.

Senator Davis offered the following amendment: Amend by striking out of line 13, page 7, the word "five," and insert "two." Lost.

On motion of Senator Cooper, the vote on the last amendment was reconsidered, and amendment adopted by the following vote:

	YEAS—23.	
Buchanan,	Harris,	Ross,
Burges,	Henderson,	Shannon,
Burton,	Houston,	Stewart,
Cooper,	Lightfoot,	Stubbs,
Davenport,	Martin,	Swain,
Duncan,	McLane,	Terrell,
Davis,	Patton,	Weatherred.
Gooch,	Rainey,	

	NAYS—4.	
Hightower,	Tilson,	Wynne.
McDonald,		

Senator Duncan entered a motion to reconsider the bill, and moved its reconsideration. Adopted, and bill reconsidered by the following vote:

	YEAS—23.	
Buchanan,	Harris,	Ross,
Brown,	Henderson,	Shannon,
Burges,	Hightower,	Swain,
Burton,	Lightfoot,	Terrell,
Cooper,	Martin,	Tilson,
Duncan,	McDonald,	Weatherred,
Davis,	Patton,	Wynne.
Gooch,	Rainey,	

	NAYS—5.	
Davenport,	McLane,	Stubbs.
Houston,	Stewart,	

Senator Cooper moved to reconsider the vote by which Senator Stubbs' amendment concerning sleeping and dining cars was adopted.

Senator Houston moved to lay the motion to reconsider on the table. Lost by the following vote:

	YEAS—2.	
Houston,	Lightfoot.	
	NAYS—25.	
Buchanan,	Harris,	Shannon,
Brown,	Henderson,	Stewart,
Burges,	Hightower,	Stubbs,
Burton,	Martin,	Swain,
Cooper,	McLane,	Terrell,
Davenport,	McDonald,	Tilson,
Duncan,	Patton,	Weatherred,
Davis,	Ross,	Wynne.
Gooch,		

Senator Cooper's motion to reconsider was adopted by the following vote:

	YEAS—17.	
Buchanan,	Davis,	Patton,
Brown,	Harris,	Shannon,
Burges,	Henderson,	Swain,
Burton,	Hightower,	Tilson,
Cooper,	Martin,	Wynne.
Duncan,	McDonald,	
	NAYS—10.	
Davenport,	Rainey,	Stubbs,
Gooch,	Ross,	Terrell,
Houston,	Stewart,	Weatherred.
McLane,		

Senator Duncan offered the following substitute for the amendment of Senator Stubbs: Strike out "one dollar and fifty cents," and insert "fifty cents." Adopted by the following vote:

	YEAS—17.	
Buchanan,	Davis,	Patton,
Brown,	Gooch,	Shannon,
Burges,	Harris,	Swain,
Burton,	Henderson,	Tilson,
Cooper,	Hightower,	Wynne.
Duncan,	Martin,	

NAYS—11.
 Davenport, McDonald, Stubbs,
 Houston, Rainey, Terrell,
 Lightfoot, Ross, Weatherred,
 McLane, Stewart.

Senator Burges offered the following amendment: Amend, on page 6 of printed bill, by striking out, in lines 20 and 21, the words "exclusively religious in character." Adopted by the following vote:

YEAS—21.
 Buchanan, Hightower, Shannon,
 Burges, Houston, Stewart,
 Burton, Lightfoot, Stubbs,
 Cooper, Martin, Swain,
 Davenport, McLane, Tilson,
 Duncan, McDonald, Weatherred,
 Henderson, Ross, Wynne.

NAYS—3.
 Davis, Harris, Rainey.

Senator Brown offered the following: Amend by striking out, on page 9, line 7, the words "not owned by the railway company."

Senator Gooch offered the following substitute for Senator Brown's amendment: Add, to line 26, on page 9, and conform the section thereto, "The owner, agent, or manager operating or running palace, sleeping or dining-room cars within this State, shall, during the month of January of each year, render, under oath, a list of their property, to be valued by the Comptroller, and shall pay an ad valorem tax thereon on or before July 1 of each year. Upon failure to render and pay tax as aforesaid, they shall pay an annual occupation tax of one dollar and fifty cents per mile for each mile of road said cars are operated upon."

Senator Gooch's substitute was lost by the following vote:

YEAS—5.
 Cooper, Gooch, Swain,
 Davenport, Stubbs.
 NAYS—22.
 Buchanan, Hightower, Rainey,
 Brown, Houston, Ross,
 Burges, Lightfoot, Shannon,
 Burton, Martin, Stewart,
 Duncan, McLane, Terrell,
 Davis, McDonald, Weatherred,
 Harris, Patton, Wynne,
 Henderson.

Senator Brown's amendment was adopted.

Senator Buchanan moved to amend by adding after the word "literature," in line 20, page 6, the words "not immoral in its tendency." Adopted.

Senator Duncan offered the following amendment: "Provided, that this clause shall not apply to those selling by card or sample and taking orders for wholesale houses, but shall apply to all persons selling and delivering the articles."

Senator Henderson offered to substitute as follows: Insert in line 21, page 5, after the word "medicines," as follows: "by retail."

Senator Duncan raised the point of order that the same amendment had been offered before in the same stage of the bill. Point of order sustained.

Senator McLane moved the previous question on amendments and bill. Call seconded, and the Senate refused to order the main question, by the following vote:

YEAS—11.
 Buchanan, Gooch, Ross,
 Cooper, Henderson, Terrell,
 Davenport, Hightower, Weatherred,
 Davis, McDonald.
 NAYS—12.
 Brown, Burton, Harris,
 Burges, Duncan, Houston,

Lightfoot, Rainey, Swain,
 Martin, Stewart, Tilson.

Senator Harris moved to adjourn till 3 o'clock p. m. Senator Rainey moved to amend by substituting for "3 o'clock p. m.," "9:30 o'clock to-morrow." Lost by the following vote:

YEAS—3.
 Burton, Davenport, Rainey.
 NAYS—22.
 Buchanan, Henderson, Ross,
 Brown, Hightower, Shannon,
 Burges, Houston, Stewart,
 Cooper, Lightfoot, Stubbs,
 Duncan, Martin, Terrell,
 Davis, McLane, Tilson,
 Gooch, McDonald, Weatherred,
 Harris, Wynne.

The motion to adjourn to 3 p. m. to-morrow, was lost by the following vote:

YEAS—10.
 Buchanan, Hightower, Shannon,
 Brown, McLane, Terrell,
 Cooper, McDonald, Wynne,
 Harris.

NAYS—15.
 Burton, Henderson, Ross,
 Davenport, Houston, Stewart,
 Duncan, Lightfoot, Stubbs,
 Davis, Martin, Tilson,
 Gooch, Rainey, Weatherred.

On motion of Senator Duncan, the Secretary of the Senate was excused for the afternoon.

Senator Stubbs offered the following amendment: Amend page 9, line 10, by adding after the word "run," "provided, this shall not apply to such cars used on excursions only." Lost by the following vote:

YEAS—12.
 Brown, Gooch, McDonald,
 Cooper, Houston, Stewart,
 Davenport, Martin, Stubbs,
 Duncan, McLane, Swain.
 NAYS—14.
 Buchanan, Hightower, Terrell,
 Burton, Lightfoot, Tilson,
 Davis, Rainey, Weatherred,
 Harris, Ross, Wynne,
 Henderson, Shannon.

Bill passed to its third reading.

On motion of Senator Ross, rules were suspended to put bill on its final passage by the following vote:

YEAS—27.
 Buchanan, Harris, Ross,
 Brown, Henderson, Shannon,
 Burges, Hightower, Stewart,
 Burton, Houston, Stubbs,
 Cooper, Lightfoot, Swain,
 Davenport, Martin, Terrell,
 Duncan, McLane, Tilson,
 Davis, McDonald, Weatherred,
 Gooch, Rainey, Wynne.

NAYS—1.
 Patton.

Bill read third time and passed by the following vote:

YEAS—27.
 Buchanan, Harris, Ross,
 Brown, Henderson, Shannon,
 Burges, Hightower, Stewart,
 Burton, Houston, Stubbs,
 Cooper, Lightfoot, Swain,
 Davenport, Martin, Terrell,
 Duncan, McLane, Tilson,
 Davis, McDonald, Weatherred,
 Gooch, Rainey, Wynne.
 NAYS—1.
 Patton.

Senator Cooper moved to suspend rules to take up Senate bill No. 21, with reference to railroad cross-ties, etc., out of its regular order. Adopted, and bill taken up by the following vote:

YEAS—20.		
Buchanan,	Hightower,	Shannon,
Brown,	Lightfoot,	Stewart,
Burges,	Martin,	Stubbs,
Burton,	McLane,	Tilson,
Cooper,	McDonald,	Weatherred,
Duncan,	Rainey,	Wynne.
Gooch,		

NAYS—6.		
Davenport,	Harris,	Houston,
Davis,	Henderson,	Patton.

Bill read second time.

Senator Ross called up House bill No. 20, "An act to amend articles 4666 and 4668, of the Revised Statutes." Bill taken up, read second time, and made special order for Monday morning, immediately after morning call.

Senator Cooper moved to suspend rules to put Senate bill No. 21 on its third reading.

Senator Duncan moved to adjourn to 3:30 p. m.

Senator Cooper moved a call of the Senate. Call not seconded.

The President presented the following message from the Governor, which was read:

EXECUTIVE OFFICE,
AUSTIN, April 29, 1882.

To the Honorable Senate and House of Representatives, in the Legislature assembled:

I respectfully submit for your action, if deemed proper, two subjects, which were considered during the regular session of this Legislature:

1. The purchase of the portraits of the Presidents and Governors of Texas from Mr. Huddle, the young Texas artists, who has bestowed great labor and skill in their execution.

2. The passage of a law fixing the time for holding the general election of State, district and county officers, different from that of the election of Representatives in Congress, and of electors for President. Surely the State of Texas is competent to do justice to its own citizens in determining the results of State elections for State officers, without calling in the aid or interference of the Federal courts for that purpose, and we should therefore relieve them from that onerous and expensive duty, so far as our State affairs are concerned.

Respectfully submitted,

O. M. ROBERTS, Governor.

On motion of Senator Terrell, Senate adjourned till 3:30 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Storey in the chair.

Roll called; quorum present.

Senator Cooper moved to suspend the rules to take up Senate bill No. 21 "An act to protect the makers and manufacturer of railroad cross-ties and to provide a lien for the payment of the same." Adopted by the following vote and bill taken up:

YEAS—21.		
Buchanan,	Henderson,	Patton,
Brown,	Hightower,	Rainey,
Cooper,	Houston,	Shannon,
Davenport,	Lair,	Stewart,
Duncan,	Martin,	Tilson,
Davis,	McLane,	Weatherred,
Harris,	McDonald,	Wynne,

NAYS—none.

Senator Davis moved a call of the Senate. Call seconded.

Roll called. Absent—Senators Burges, Burton, Gooch, Lightfoot, Ross, Stubbs, Swain and Terrell.

Senator Cooper moved to excuse the absent Senators. Adopted by the following vote:

YEAS—10.		
Buchanan,	Henderson,	Rainey,
Brown,	Hightower,	Shannon,
Cooper,	Lair,	Stewart,
Davenport,	Martin,	Tilson,
Duncan,	McDonald,	Weatherred,
Davis,	Patton,	Wynne.
Harris,		

NAYS—2.	
Houston,	McLane.

The following amendment was offered by Senator Cooper: "The near approach of the close of the session of the Legislature creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted, and this law shall take effect from and after its passage." Adopted.

Senator Davis offered to amend by striking out section 2.

Senator Harris offered the following amendment to the bill: After the word "persons," in line 19, insert the words "out of timber furnished by such railroad corporation, company, firm or person."

Senator Duncan moved the previous question on amendment and engrossment of the bill. Motion seconded, and main question ordered.

The amendment of Senator Harris was adopted by the following vote:

YEAS—22.		
Brown,	Houston,	Stewart,
Buchanan,	Lair,	Stubbs,
Burton,	Martin,	Swain,
Cooper,	McLane,	Terrell,
Duncan,	McDonald,	Tilson,
Gooch,	Rainey,	Weatherred,
Harris,	Shannon,	Wynne.
Hightower,		

NAYS—3.	
Davenport,	Davis,
	Henderson.

Senator Davis' amendment was lost by the following vote:

YEAS—5.		
Davenport,	Henderson,	Terrell.
Davis,	Swain,	

NAYS—20.		
Brown,	Hightower,	Shannon,
Buchanan,	Houston,	Stewart,
Burton,	Lair,	Stubbs,
Cooper,	Martin,	Tilson,
Duncan,	McLane,	Weatherred,
Gooch,	McDonald,	Wynne.
Harris,	Rainey,	

Bill ordered engrossed.

On motion of Senator Cooper, the rules were suspended to put the bill on its third reading, by the following vote:

YEAS—25.		
Brown,	Henderson,	Shannon,
Buchanan,	Hightower,	Stewart,
Burton,	Houston,	Stubbs,
Cooper,	Lair,	Swain,
Davenport,	Martin,	Terrell,
Davis,	McLane,	Tilson,
Duncan,	McDonald,	Weatherred,
Gooch,	Rainey,	Wynne.
Harris,		

NAYS—none.

Bill read third time, and passed by the following vote:

YEAS—25.		
Brown,	Henderson,	Shannon,
Buchanan,	Hightower,	Stewart,
Burton,	Houston,	Stubbs,
Cooper,	Lair,	Swain,
Davenport,	Martin,	Terrell,
Davis,	McLane,	Tilson,
Duncan,	McDonald,	Weatherred,
Gooch,	Rainey,	Wynne.
Harris,		

NAYS—none.

The following message was received from his Excellency, the Governor:

EXECUTIVE OFFICE,
AUSTIN, April 28, 1882.

To the Honorable Senate and House of Representatives in Legislature assembled:

I respectfully submit to you, for such action as may be deemed proper, the subject of an appropriation for the support of summer normal institutes for the training of teachers in Texas. Dr. J. L. M. Curry, the general agent of the Peabody Educational Fund, has proposed to give for that purpose one-half as much as may be given by the Legislature. An appropriation of three or four thousand dollars would secure a school in every congressional district in the State and at least three for the colored teachers. The same amount of money cannot be better spent in any other way in elevating the standard of the teachers of our common schools.

Respectfully submitted,

O. M. ROBERTS, Governor.

Referred to Committee on Education.

Senator Duncan moved to suspend rules to take up the House senatorial and representative apportionment bill. Adopted, and bill taken up.

(Senator Martin in the chair.)

Senator Tilson moved that the Senate do not concur in first House amendment, with reference to Bowie county. Adopted, and Senate refused to concur.

On motion of Senator Tilson, Senate refused to concur in second House amendment, inserting Hardeman county in Forty-third Representative District.

On motion of Senator Wynne, the Senate concurred in third House amendment.

On motion of Senator Wynne, the Senate concurred in fourth House amendment.

On motion of Senator Wynne, the Senate concurred in fifth House amendment.

On motion of Senator Duncan, the sixth House amendment was acted on in two divisions.

The first division, with reference to Chambers county, was concurred in, on motion of Senator Wynne.

The second division was concurred in, on motion of Senator Stubbs.

Seventh House amendment was concurred in, on motion of Senator Wynne.

On motion of Senator Wynne, Senate concurred in eighth House amendment.

On motion of Senator Wynne, Senate concurred in ninth House amendment.

On motion of Senator Gooch, the Senate concurred in tenth House amendment.

On motion of Senator Wynne, Senate concurred in eleventh House amendment.

On motion of Senator Wynne, Senate concurred in twelfth House amendment.

On motion of Senator Wynne, Senate concurred in thirteenth House amendment.

On motion of Senator Wynne, Senate concurred in fourteenth, fifteenth and sixteenth House amendments.

On motion of Senator McDonald, Senate refused to concur in seventeenth House amendment relative to the counties of Houston, Grimes and Angelina.

On motion of Senator Wynne, Senate concurred in eighteenth House amendment.

On motion of Senator Gooch, the Senate concurred in nineteenth House amendment.

On motion of Senator Wynne, Senate concurred in twentieth House amendment.

On motion of Senator Brown, Senate concurred in twenty-first House amendment.

Senator Patton moved that special order be postponed ten minutes to take up Senate bill No. 37. Adopted and bill taken up: "An act to amend section 1 of 'an act granting a land certificate of 1280 acres of land to each of the

surviving soldiers of the Texas revolution, and the surviving signers of the declaration of independence, and to the surviving widows of such soldiers and signers, and to the widows of those who fell at the Dawson massacre,' and to repeal an act approved April 26, 1879, entitled 'an act granting a land certificate of 640 acres to each of the indigent veterans who were engaged in the struggle for Texas independence prior to and at the battle of San Jacinto, enrolled under the act approved July 28, 1876,' approved March 15, 1881."

Senator Gooch withdrew pending amendment by him.

Senator Cooper offered the following amendment: Amend by adding "In case there shall be no public domain without the reservations heretofore made, on which to locate the certificates herein provided for, the State shall not be responsible to the holders of said certificates in damages or otherwise for said deficiencies."

Senator Duncan offered the following substitute for Senator Cooper's amendment: Put in the proviso where it will do most good, that the "certificates shall not be transferable, but shall be located only by the original grantee." Lost.

Senator Gooch offered the following amendment to the bill: "Provided, no certificate shall be granted under the amended act, except to the survivors of Dawson's massacre, or to their widows remaining unmarried."

Senator Cooper's amendment was adopted by the following vote:

YEAS—17.

Buchanan,	Gooch,	McDonald,
Burges,	Henderson,	Patton,
Burton,	Houston,	Terrell,
Cooper,	Lair,	Tilson,
Davenport,	Martin,	Weatherred.
Davis,	McLane,	

NAYS—8.

Duncan,	Rainey,	Stubbs,
Harris,	Shannon,	Wynne.
Hightower,	Stewart,	

Senator Gooch's amendment was adopted.

Bill ordered engrossed by the following vote:

YEAS—20.

Buchanan,	Hightower,	Shannon,
Burges,	Houston,	Stewart,
Burton,	Lair,	Stubbs,
Cooper,	Martin,	Terrell,
Davenport,	McLane,	Tilson,
Gooch,	McDonald,	Wynne.
Henderson,	Patton,	

NAYS—5.

Davis,	Harris,	Weatherred.
Duncan,	Rainey,	

On motion of Senator Patton, rules were suspended to put the bill on its third reading by the following vote:

YEAS—24.

Buchanan,	Hightower,	Shannon,
Burges,	Houston,	Stewart,
Burton,	Lair,	Stubbs,
Cooper,	Martin,	Swain,
Davenport,	McLane,	Terrell,
Duncan,	McDonald,	Tilson,
Gooch,	Patton,	Weatherred,
Henderson,	Rainey,	Wynne.

NAYS—2.

Davis,	Harris.
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Bill read third time and passed by the following vote:

YEAS—21.

Buchanan,	Hightower,	Shannon,
Burges,	Houston,	Stewart,
Burton,	Lair,	Stubbs,
Cooper,	Martin,	Swain,
Davenport,	McLane,	Terrell,
Gooch,	McDonald,	Tilson,
Henderson,	Patton,	Wynne.

NAYS—5.

Davis,
Duncan,Harris,
Rainey,

Weathered.

On motion of Senator Wynne, Senate adjourned till 9:30 a. m. Monday.

TWENTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, May 1, 1882. }

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Houston, the reading of the journal of Saturday was dispensed with.

Senator Patton, chairman of Committee on State Affairs, submitted the following report:

COMMITTEE ROOM,
AUSTIN, May 1, 1882.

Hon. L. J. Storey, President of the Senate:

Your Committee on State affairs, to whom was referred Senate joint resolution No. 2, granting leave of absence to Hon. J. D. McAdoo, County Judge of Washington county, having considered the same, instruct me to report recommending its passage with the accompanying amendments.

PATTON, Chairman.

Resolution read first time, with committee amendments.

Senator Gooch introduced a bill entitled "An act to provide for the leasing of the school lands." Referred to committee on Education.

Senator Duncan introduced a bill entitled "An act to provide for the sale of all land heretofore surveyed, and that may be hereafter surveyed and set apart for the benefit of the common school fund." Referred to committee on Public Lands.

The President laid before the Senate Senate bill No. 35, relating to the further regulating the duties and rights of railroad companies owning or operating railroads in this State, connecting with, or intersecting each other, and to prevent discrimination by them. Special order for the morning.

On motion of Senator Patton, the consideration of pending bill was postponed ten minutes to take up Senate bill No. 36, relative to appropriating 1280 acres of land to Texas veterans, etc. Bill taken up and read second time with committee amendments.

First committee amendment adopted.

Senator Harris offered the following amendment to second committee amendment: In section 2, after the words "\$1000," strike out the words "over and above his homestead." Adopted, and second committee amendment, as amended, adopted.

Senator Stubbs offered the following amendment:

Sec. 16. The near approach of the close of the session, and the large amount of business to be disposed of, creates an imperative public necessity, requiring the suspension of the constitutional rule requiring bills to be read on three several days, and it is so suspended; and also the old age of those intended to be benefitted by this act, is such as to create an emergency, that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted, and bill ordered engrossed.

On motion of Senator Patton, rules were suspended, and bill placed upon its third reading, by the following vote:

YEAS—24.

Brown,
Buchanan,
Burgess,
Burton,
Davenport,
Duncan,
Gooch,
Harris,

Henderson,
Hightower,
Homan,
Houston,
Lair,
Martin,
McLane,
McDonald,

Patton,
Rainey,
Ross,
Shannon,
Stewart,
Stubbs,
Terrell,
Wynne,

NAYS—2.

Davis,

Swain.

Bill read third time and passed, by the following vote:

YEAS—23.

Brown,
Buchanan,
Burgess,
Burton,
Cooper,
Davenport,
Duncan,
Gooch,

Henderson,
Hightower,
Homan,
Houston,
Lair,
Martin,
McLane,
McDonald,

Patton,
Ross,
Shannon,
Stewart,
Stubbs,
Swain,
Wynne.

NAYS—6.

Davis,
Harris,Rainey,
Terrell,Tilson,
Weathered.

The following reasons for voting in the negative on the passage of the above bill, were asked to be spread upon the journal:

We vote no, because this bill undertakes to provide for indigent veterans only. This bounty for their support is only what the law already contemplates shall be done, when it requires counties to support all its indigent, whether veterans or criminals. If it be a debt due them for past services, it is due to all alike, and its payment should not be confined to the paupers among the veterans. We regret the provision in the Constitution which confines our aid to veterans to the paupers among them as wrong, and hope to see it expunged. We prefer to trust to counties and voluntary aid to the brave men who need it, rather than make them prove themselves paupers in order to get the miserable aid of one hundred and sixty dollars a year.

A. W. TERRELL,
W. O. DAVIS.

"Senate Bill No. 35, "An act to further regulate the duties and rights of railroad companies owning or operating railroads in this State, connecting with or intersecting each other, and to prevent discrimination by them," being the business temporarily postponed, was taken up and read second time, with majority and minority reports.

Senator Wynne moved the adoption of the minority report.

A message was received from the House announcing the passage by that body of substitute House bill No. 20, "An act to amend article 3602, chapter 10, title 71, of the Revised Civil Statutes of the State of Texas, relating to the hiring of county convicts," with engrossed rider. Referred to Judiciary Committee No. 2.

Also, substitute Senate bill No. 43, "An act to provide for temporary capitol buildings for the use of the several departments and branches of the State government, and to make an appropriation therefor," with amendment.

Also, Senate bill No. 42, substitute for House bill No. 46, and for Senate bills Nos. 2 and 27, "An act to provide for running and marking the boundary line between the State of Texas and the territory of the United States from the northeast corner of said State to the degree of longitude one hundred west from London and twenty-three degrees west from Washington, as said line is described in the treaty between the United States and Spain of February 22, 1819, and for the payment of the expenses of such survey."

Also, that the House recedes from House amendments Nos. 1, 2 and 17 to Senate bill No. 40 and substitute Senate bill No. 34, being the senatorial and representative apportionment bill, in which the Senate refused to concur.

Senator Patton, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, May 1, 1882.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have carefully examined Senate bill No. 21, entitled "An act to protect the makers and manufacturers of railroad cross-ties, and to provide a lien for the payment of the same," and I am instructed to report that the same is correctly engrossed.

PATTON, Chairman,